IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE

W/S Meadowbank Court, 180 ft. +/- N of c/l Cedar Chip Court

6 Meadowbank Court 11th Election District 6th Councilmanic District Alessio Mattucci, et ux Petitioners * BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 95-425-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Alessio Mattucci and Assunta Mattucci, his wife, for that property known as 6 Meadow Bank Court in the Perry Hall Courts subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (deck) with a setback of 10 ft. in lieu of the minimum required 26.25 ft. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this A day of June, 1995 that the Petition for a Zoning Variance from Section 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (deck) with a setback of 10 ft., in lieu of the minimum required 26.25 ft., be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:mmn

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

June 20, 1995

Mr. and Mrs. Alessio Mattucci 6 Meadow Bank Court Baltimore, Maryland 21234

RE: Petition for Administrative Variance

Case No. 95-425-A

Property: 6 Meadow Bank Court

Dear Mr. and Mrs. Mattucci:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

ING 95-475-A

Towern, Maryland

Posted for: Vertines Petitioner: Aloss is the fisher to lead on born h	Date of Posting 6/2/95
Posted for:	
Petitioner: Aloss 10 8 Assurta /	Yoth year
Location of property: 6 Mendow bon 1	cx, w/s
~	
Location of Signe Facing Wood Why on	Proporty being tonoch
	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
Remarks:	######################################
Posted by Male	Date of return: 6/9/95
Number of Signa:	
Number of StRings	16 July 19 19 19 19 19 19 19 19 19 19 19 19 19





E. d. and Committed and Be Zoning Administration Be Devolopment Management 111 West Chesopeake Avenue Tow.on, Maryland 21204

75-425-A

Account: R-001-6150

Number # 420

Taken by : JRF

Date May 23, 1995

MATTUCCI -- G MEAPOWBANK COURT

010 -- VARIANCE --- \$ 50.00

080 -- SIGN - - \$35.00

#85.00

AND STATE

の情報の特別を特別的場合。 第2回機の対象値は20回り હઈ! મેલ

Please Make Checks Payable To: Baltimore County

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

June 1, 1995

#### NOTICE OF CASE NUMBER ASSIGNMENT

Re:

CASE NUMBER: 95-425-A (Item 420)

6 Meadowbank Court

W/S Meadowbank Court, 180'+/- N of c/l Cedar Chip Court

11th Election District - 6th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

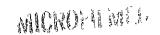
- 1) Your property will be posted on or before June 4, 1995. The closing date (June 19, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

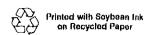
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Director

cc: Alessio and Assunta Mattucci





## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at 6 Meadow Bank Cf
Balto wd 21234 City State Zip Code
That based upon personal knowledge, the following are the facts upon which I we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)  INSTALLING ADECK INTERPRESSED OF  THE HOUSE WHICH REQUIRER A VARIANCE
THE HOUSE WHICH KERVIRER A VARIANCE
SEE ATTHEMED
,
,
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.
Alessio Mattucci Assunta Mattucci
(type or print name) (type or print name)
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wil:  1 HEREBY CERTIFY, this day of Applitude of Maryland, in and for the County aforesaid, personally appeared  1995, before me, a Notary Public of the State
Alessio Mattucci
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
4/6/95 Karen M. Mays
date NOTARY PUBLIC

My Commission Expires:

KAREN M. MAYS NOTARY PUBLIC STATE OF MARYLAND My Commission Expires October 29, 1996

95-425-A

## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at

(o Meadow Bank Ct which is presently zoned De 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) BCZR SEC 301.1A & CMDP V. B. 5. CL

TO ALLOW AN OPEN PROJECTION CDECK) WITH A SETBACK OF 10 FT. IN LIEU OF THE MINIMUM REQUIRED 26.25 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1) Installing a deck, need a variance of 7' SEE ATTACHED.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

ity	State	Zipcode	Address		Phone No
ddress	Phone	No	S AW	LE BS A	BOJC
gnature			Balfo City Name, Address and phone n	State sumber of representative to be	2 234 Zipcode de contacted
ype or Print Name)			<u>Le Meadow</u> Address	Bank Ct	529~32 Phone No
torney for Petitioner			, , ,	0 1.00	764-9133
ty	State	Zipcode	A A men	ta Má	Muca
dress			ASSUNTA	Mattucci	1
gnature			Signature /	1/WIFE	
rpe or Print Name)			(Type or Pugt Name)	Mother	[
			Aloesia	Mattucci	
ntract Purchaser/Lessee			Legal Owner(s)		

Zoning Commissioner of Baltimore County



REVIEWED BY:

ESTIMATED POSTING DATE:

DATE: 5-23-9

6-4-95



Printed with Soybean Ink on Recycled Paper 141666 1 WIEM#: 420

95-425-A

May 10, 1995

#### TO WHOM IT MAY CONCERN:

Please accept these reasons to make it acceptable for me to receive a variance for building the proposed deck on my property.

- 1. Layout of house and location of existing sliding glass doors.
- 2. Exterior basement stairs limits location of deck to proposed area.
- 3. Reason for size of deck requested is to make use of steeply slopping rear yard.
- Accompanying pictures will show layout of yard.

Thank You,

Alessio Mattucci
Allew Matter

19 Mill Wallet # 420

95-425-A

## **EXAMPLE 3 - Zoning Description**

- 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 6. HEADOW BANK CT.
(address)
Beginning at a point on the $\frac{WEST}{(\text{north, south, east or west)}}$ side of $\frac{MEADOW BANK}{(\text{name of street on which property fronts)}}$ which is $\frac{50 \text{ ft.}}{(\text{number of feet of right-of-way width)}}$ wide at the distance of $\frac{180 \text{ ft.}}{(\text{number of feet)}}$ (north, south, east or west)
centerline of the nearest improved intersecting street CEDAR CHIP COURT
(name of street)
which is 50 ft. wide. *Being Lot # //, (number of feet of right-of-way width)
Block, Section # T in the subdivision of PERRY HALL COURTS (name of subdivision)
as recorded in Baltimore County Plat Book #, Folio #, containing
(square feet or acres)  Also known as 6 Meadowbank Court (property address)
and located in the // Election District, 6 Councilmanic District.
*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber, Folio" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.
Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.
#420

CK/RESID (TXTSOPH)
REVISED 5/16/94



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

June 14, 1995

Mr.and Mrs. Alessio Mattucci 6 Meadow Bank Court Baltimore, Maryland 21234

RE: Item No.: 420

Case No.: 95-425-A

Petitioner: A. Mattucci, et ux

Dear Mr. and Mrs. Mattucci:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 23, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely Richard

W. Carl Richards, Jr. Zoning Supervisor

WCR/jw Attachment(s)

Printed with Soybean Ink on Recycled Paper

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM DATE: June 14, 1995 FROM: Pat Keller, Director, OPZ 6 Meadow Bank Court INFORMATION: Item Number: 420 Petitioner: Mattucci Property Property Size: Zoning: DR-3.5 Requested Action: Administrative Variance Hearing Date: SUMMARY OF RECOMMENDATIONS: The applicant requests an administrtive variance to permit a setback of 10' in lieu of the required 26.25'. While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject variance. My W. Long Dary C. Clero Division Chief: PK/JL

## BALTIMORE COUNTY, MARYLAND

## DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

#### INTER-OFFICE CORRESPONDENCE

T0:

ZADM

Joyce Watson

DATE: 6/13/95

FROM:

**DEPRM** 

Development Coordination

SUBJECT:

Zoning Advisory Committee Agenda: 6/5/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: ( 425 426

LS:sp

LETTY2/DEPRM/TXTSBP

## BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 12, 1995 Zoning Administration and Development Management

Robert W. Bowling, P.E., Chief Developers Engineering Section

RE:

Zoning Advisory Committee Meeting for June 12, 1995 Items 420, 421, 424, and 426

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

#### Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 06/08/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JUNE 5, 1995.

Item No.: SEE BELOW

Zoning Agenda:

#### Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 420, 421, 424 AND 427.

DECEIVED

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

£3

Printed on Recycled Paper



6-6-95

Ms. Joyce Watson Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re:

Baltimore County
Item No.: 420 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Bob Small

Ronald Burns, Chief Engineering Access Permits

Division

BS/

### PETITION PROBLEMS AGENDA OF JUNE 5, 1995

#### #420 --- JRF

1. Notary section is incorrect.

#### #421 --- MJK

1. Front of petition form has one signature; back of petition form has two signatures. One or two legal owners -- which is correct?

#### #424 --- JCM

1. No legal owner's name, signature, address, telephone number on petition form. (See JCM's memo in file.)

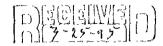
#### #426 --- JJS

1. Zoning on top of petition form does not agree with zoning on folder.

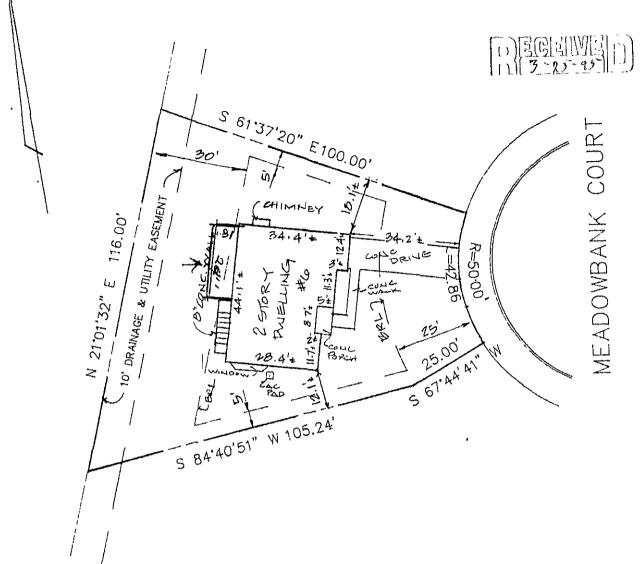
#### #427 --- JJS

1. Need typed or printed name and title of person signing for legal owner.

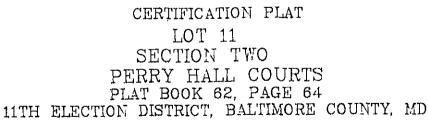
#### ARCHITECTURAL CHANGE FORM PERRY HALL COURTS II



NAME: MR. MRS ALESSIO MATTUCCI
ADDRESS: 6 HEADOW BANK CT.
CITY: <u>BA 170</u> STATE: <u>40</u> ZIP: <u>21234</u>
DATE SUBMITTED: 3. 25-95
HOME PHONE: 529-3247 WORK PHONE: 764-9133,
PLEASE DESCRIBE BELOW THE CHANGES YOU PROPOSE TO MAKE TO YOUR PROPERTY, INCLUDING LOCATION, DIMENSIONS, MATERIALS AND DETAILS OF DESIGN. ALSO INCLUDE PROPERTY PLAT SHOWING PROPOSED CHANGES.  I WILL TO BUILD A DECK IN OUR BACK YARD THE DIABNSTONS WILL BE 18x24 FEETY.  AS SHOWN IN THE PLOTT. IT WILL BUILD OF TREATED LUMBER.
PLEASE NOTE COLOR CHANGE FROM ORIGINAL DESIGN.
PLEASE ATTACH A DETAILED SKETCH OR BLUEPRINT OF YOUR PLAN IN DUPLICATE WHICH THE COMMITTEE MAY KEEP FOR THEIR RECORDS.  APPROVED: Maggan 1-14-95 DISAPPROVED: REASON:
THIS APPLICATION IS NOT AUTHORIZED UNTIL APPROVED BY THE ARCHITECTURAL COMMITTEE.
PLEASE RETURN TO MICHAEL PECK. # 420



NOTE: THE LOT SHOWN HEREON LIES WITHIN ZONE "C" AREA OF MINIMAL FLOODING AS DETERMINED BY FLOOD INSURANCE RATE MAP FOR BALTIMORE COUNTY, MARYLAND PANEL NO. 240010 0290 B DATED EFFECTIVE MARKETIMES.



THIS IS TO CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS ON THE LOT SHOWN HEREON, AND THAT SAID IMPROVEMENTS EXIST, AND THAT SAID IMPROVEMENTS LIE ENTIRELY WITHIN THE

BOUNDARIES. 6-24-94 COLBERT ENGINEERING

DUMBARTON SQUARE 3723 OLD COURT ROAD, SUITE 206 BALTIMORE, MARYLAND 21208

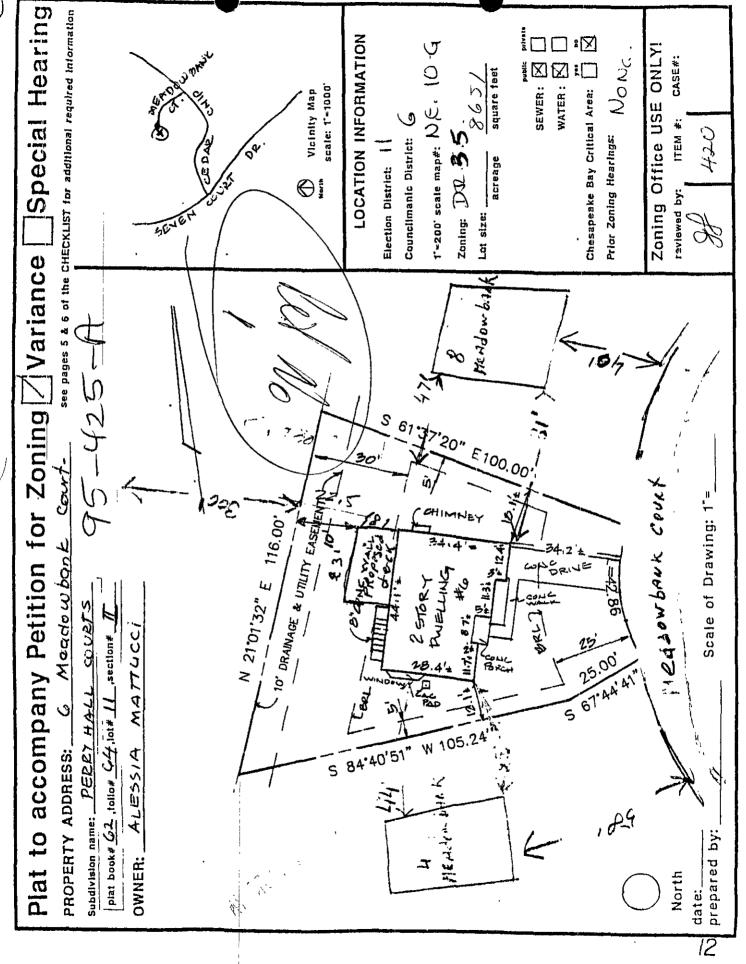
PHONE: (410)653-3838

MIE ROLF HIRELY

= 30'SCALE:

MARCH 25, 1994 DATE:

THIS PLAT NOT INTENDED FOR USE IN THE ESTABLISHMENT OF PROPERTY LINES.





REAR WHERE DECK WILL BE BUILD



REAR OF THE HOUSE. # 420 FROM LEFT SIDE



BACK OF THE PROPERTY SITE FOR THE DECK.

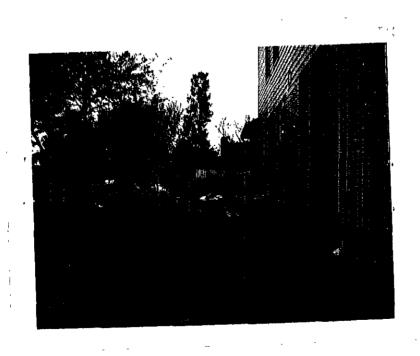


SLOOP AREA BACK OF THE HOUSE

#420

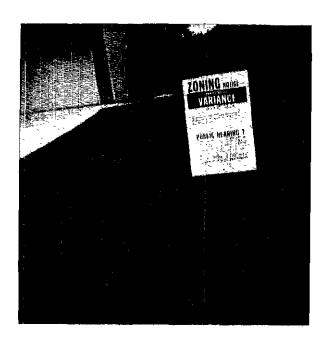


SIDE OF PROPERTY WITH SLOOP



REAR OF THE PROPERTY WITH SLOOP AT THE END

# 420



425

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 6 Meadow Bank That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) variance That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information. STATE OF MARYLAND, COUNTY OF BALTIMORE, to with before me, a Notary Public of the State the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

My Commission Expires:

AS WITNESS my hand and Notarial Seal.

KAREN M. MAYS
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires October 29, 1996

Laur M. Mays



## **Petition for Administrative Variance**

## to the Zoning Commissioner of Baltimore County

for the property located at

6 Meadow Bank Court
which is presently zoned DR 3.1-

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) BCZR SEC 301.1A & CMDP V. B. 5. a.

TO ALLOW AN OPEN PROJECTION (DECK) WITH A SETBACK OF 10 FT. IN LIEU OF THE MINIMUM REQUIRED 26.25 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

> 1 installing a deck, need a variance of 7' SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, under the penalt legal owner(s) of the property which is the subject of this	
Contract Purchaser/Lessee:			Legal Owner(s):	
			Alessio Mattucc	i
(Type or Print Name)			(Type or Print Name)  Alexand Matter	•
Signature			Signature	
		<del></del>	Assunta Matlucc	<u> </u>
Address			(Type or Print Name)	1 AA
	State	Zipcode	Signatura Societa Mil	alluca"
City	olate .	Zipcode	organical Control of the Control of	764-9133
Attorney for Petitioner:			6 Meadow Bank C	+ 529-3247
(Type or Print Name)			Address	Phone No.
			Balto MD	21234
Signature		<u></u>	City State Name, Address and phone number of representative	
			Some As	AROX
Address	Phone No.		Name	
City	State	Zipcode	Address	Phone No.

REVIEWED BY: 95 DATE: 5-23 95

circulation throughout Baltimore County, and that the property be reposted.



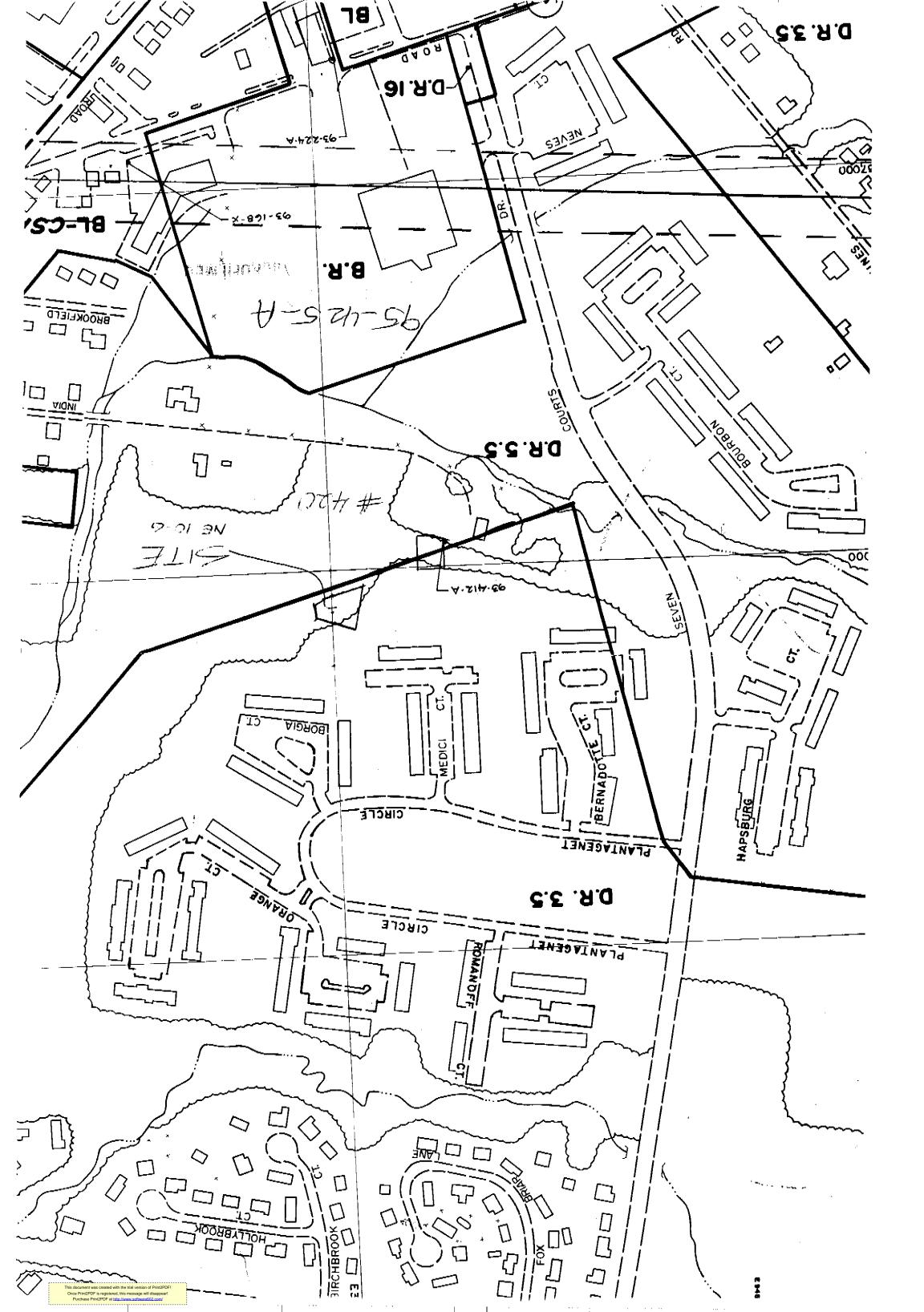
A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Battimore County, this

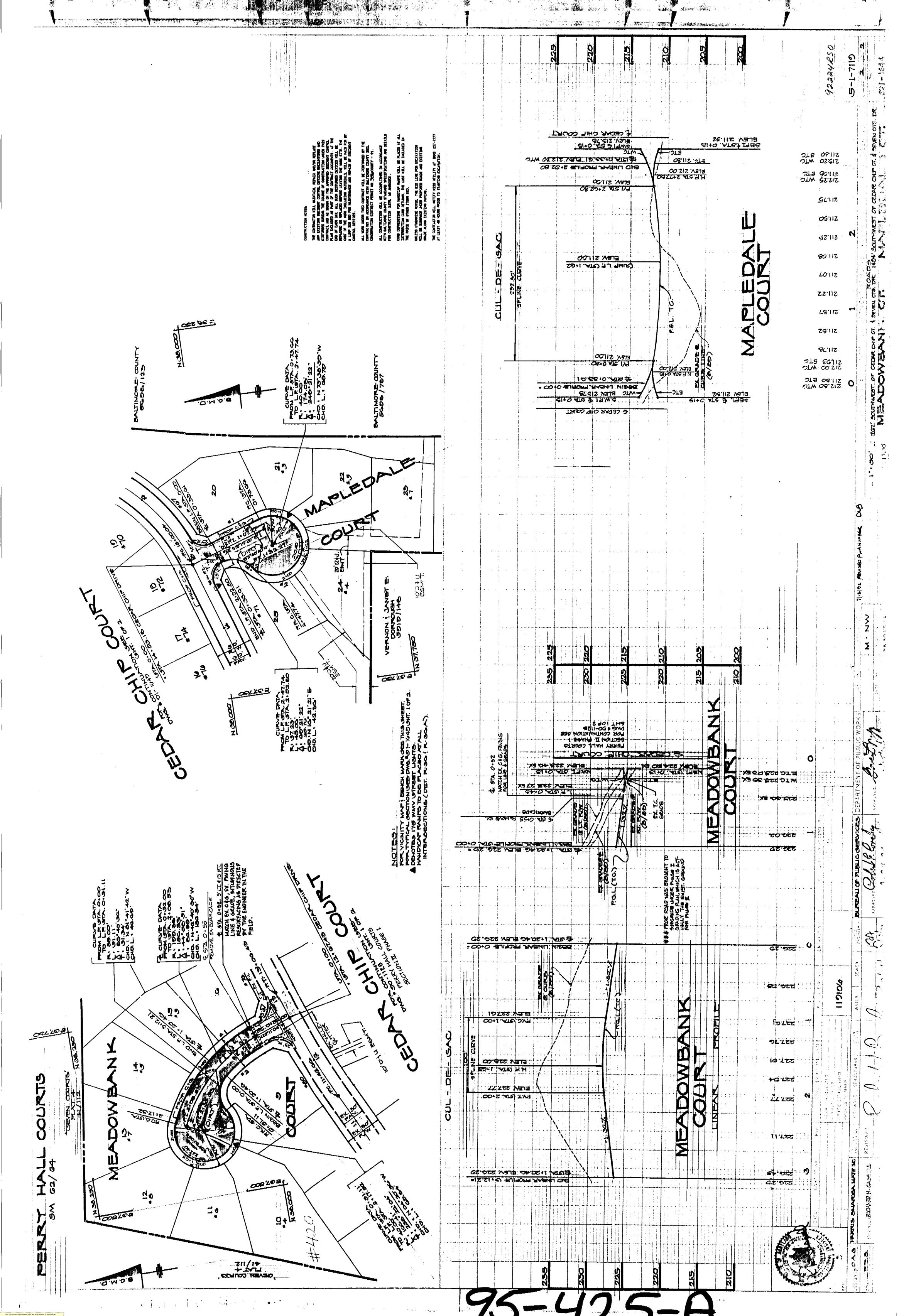
Printed with Soybean Ink on Recycled Paper

that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general

ITEM #: _ 420

Zoning Commissioner of Baltimore County





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PERRÝ HALL

IVH XOBEQ

DATE OF PHOTOGRAPHY

BALTIMORE COUNTY OF PLANNING AND ZONING FOTOGRAPHIC MAP

75-405-6-

* ZONING COMMISSIONER * OF BALTIMORE COUNTY

* Case No. 95-425-A Petitioners

* * * * * * * * * *

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Alessio Mattucci and Assunta Mattucci, his wife, for that property known as 6 Meadow Bank Court in the Perry Hall Courts subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (deck) with a setback of 10 ft. in lieu of the minimum required 26.25 ft. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

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The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore May of June, 1995 that the Petition for a Zoning Variance from Section 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (deck) with a setback of 10 ft., in lieu of the minimum required 26.25 ft., be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

> > Zoning Commissioner for Baltimore County

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

June 20, 1995

Mr. and Mrs. Alessio Mattucci 6 Meadow Bank Court Baltimore, Maryland 21234

> RE: Petition for Administrative Variance Case No. 95-425-A Property: 6 Meadow Bank Court

Dear Mr. and Mrs. Mattucci:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

LES:mmn

 $\bullet \bot$  in support of Attidavit Administrative Variance

The undersigned hereby affirms under the pe	nalties of p	erjury to the Zonii	ng Commissione	r of Baltimore County, as follows:
That the information herein given is within th testify thereto in the event that a public hearin	g is schedul	ed in the future w	iin regard inerci	0.
That the Affiant(s) does/do presently reside a	at (o f	Meadow	Bank	<u>Ct</u>
	Bal	to	Md_ State	2 1234 Zip Code
That based upon personal knowledge, the fol Variance at the above address: (indicate hardship	a reserved di	fire is that		
Installing a country which requires	leck	in the	back	of our house
which requires	<u>a</u>	uarian	cc of	_7!
			·	
		· · · · · · · · · · · · · · · · · · ·		

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and 19 95, before me, a Notary Public of the State the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal. My Commission Expires: KAREN M. MAYS NOTARY PUBLIC STATE OF MARYLAND

My Commission Expires October 29, 1996

95-425-A

May 10, 1995

TO WHOM IT MAY CONCERN:

Please accept these reasons to make it acceptable for me to receive a variance for building the proposed deck on my property.

- 1. Layout of house and location of existing sliding glass doors.
- 2. Exterior basement stairs limits location of deck to proposed
- 3. Reason for size of deck requested is to make use of steeply stopping rear yard.
- 4. Accompanying pictures will show layout of yard.

Thank You,

Alessio Mattucci

**EXAMPLE 3 – Zoning Description** Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form: ZONING DESCRIPTION FOR 6. HEADOW BANK CT. (number of feet of right-of-way width) wide at the distance of 180 T NORTH of the (number of feet) (north, south, east or west) centerline of the nearest improved intersecting street CEDAR CHIP COURT (name of street) Block _____, Section #  $\overline{II}$  in the subdivision of  $\overline{PERRY}$  HALL COURTS (name of subdivision) as recorded in Baltimore County Plat Book #____, Folio #____, containing _ Also known as _ G Meadowbank Court and located in the 11 Election District, 6 Councilmanic District. *If your property is not recorded by Plat Book and Folio Number, them DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber ____, Folio ____ " and include the measurements and directions (metes and bounds only) here and on the plat in the

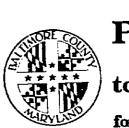
Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 22" W. 80 ft. to the place of beginning.

CK/RESID (TXTSOPH) REVISED 5/16/94

#420

95-425-A

which is presently zoned De 3.5



## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) BCZR SEC 301.1A & CMDP V. B. 5. a TO ALLOW AN OPEN PROJECTION CDECK) WITH A SETBACK OF 10 FT. IN LIEU OF THE MINIMUM REQUIRED 16.15 FT. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

1 installing a deck, need a varionice of 7' SEE ATLACHED.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

				e and affirm, under the penal erty which is the subject of th	ties of perjury, that I/we are thus Petition
ontract Purchaser/Lessee			Legal Owner(s)		
			Alessia	Mattuca	ci
ype or Print Name:			(Type or Print Name)	mit	
			Allen	Molte	حر (
gnature			Ægnáture /	,	
			Assunta	Mattuc	ci
daress			(Type or Print Name)	1- 00	an.
	State	Zipcode	* Hosu	reta 114	allucu
ity domey for Petitioner	Sale	2120000	S-g-a.a.e		764-9133
iomey for Petitioner			6 Meadon	Bank Ct	
ype or Phot Name:				•	Phone No
			Balto	<u> </u>	21234
gnature			City Name, Address and onch	Stati e number of representative	
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ddress	Phone !	No	<u> </u>	ue 135  -	TISCUL
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ty .	State	Zipcode	Address		Phone No
		<del>-</del>			
Zublic Hearing having been at the subject matter of this	i requested and/or found petition be set for a publi	I to be required it is orde to hearing, bolyert sea o	red by the Laning Commission stequired by the Tening Requi	er of Baltimore County, this ations of Fast more County	s day of 19 Lin two newspapers of get
rculation throughout Bait mi	ore County and that the	property be reposted			
				Commissioner of	f Battimore County
c //	DATE 5-23-9	· -			ITEM #: 420

ZONING DEPARTMENT OF BALTIMORE COUNTY

( Ourse	n, Maryland
District 11th  Posted for: Variance	Date of Posting 6/1/95
Petitioner: Aloss in t Assurta	Mottuce!
Petitioner: Aless in t Assurta  Location of property: 6 Meadow ba	* KCY., W/S
Location of Signe Facing Wood Way	or proporty being toroch
	···
Remarks:	
Posted by Signature	Date of return: 6/9/95
~~~~ - t = /	•

ESTIMATED POSTING DATE: 6-4-95

Number # 420

Takan by : JRF

Date May 23, 1995 MATTUCCI - - G MEADOWBANK COURT

010 -- VARIANCE --- \$ 50.00 080 -- SIGN _ _ # 35.00

#85.00

92602899642KTCHFC eg 10001256805-03-95 Please Make Checks Payable To: Baltimore County

#420

June 1, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-425-A (Item 420) 6 Meadowbank Court W/S Meadowbank Court, 180°+/- N of c/l Cedar Chip Court 11th Election District - 6th Councilmanic

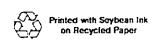
Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 4, 1995. The closing date (June 19, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 12, 1995 Zoning Administration and Development Management

Robert W. Bowling, P.E., Chief Developers Engineering Section

RE: Zoning Advisory Committee Meeting for June 12, 1995 Items 420, 421, 424, and 426

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue

(410) 887-3353

June 14, 1995

Mr.and Mrs. Alessio Mattucci 6 Meadow Bank Court Baltimore, Maryland 21234

Towson, MD 21204

RE: Item No.: 420 Case No.: 95-425-A Petitioner: A. Mattucci, et ux

Dear Mr. and Mrs. Mattucci:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 23, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Zoning Supervisor

WCR/jw

Attachment(s)

Printed with Soybean link



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 06/08/95

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JUNE 5, 1995.

Item No.: SEE BELOW

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

Zoning Agenda:

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 420, 421, 424 AND 427.



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 14, 1995

FROM: Pat Keller, Director, OPZ

TO: Arnold Jablon, Director, ZADM

SUBJECT: 6 Meadow Bank Court

INFORMATION:

Item Number: Petitioner: Mattucci Property Property Size: Zoning:

Administrative Variance

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The applicant requests an administrtive variance to permit a setback of 10' in lieu of the required 26.25'.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject vari-

ITEM420/PZONE/ZAC1

6-6-95 Re: Baltimore County Item No.: 420 (JRF)

Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Ms. Joyce Watson

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Kow Ronald Burns, Chief Engineering Access Permits

PETITION PROBLEMS AGENDA OF JUNE 5, 1995

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

The Department of Environmental Protection & Resource Management has no

comments for the following Zoning Advisory Committee Items:

SUBJECT: Zoning Advisory Committee
Agenda: 6/5/95

#420 — JRF

LS:sp

LETTY2/DEPRM/TXTSBP

i. Notary section is incorrect.

#421 -- MJK

Front of petition form has one signature; back of petition form has two signatures. One or two legal owners – which is correct?

#424 --- JCM

1. No legal owner's name, signature, address, telephone number on petition form. (See JCM's memo in file.)

#426 --- JJS

1. Zoning on top of petition form does not agree with zoning on folder.

#427 -- JJS

1. Need typed or printed name and title of person signing for legal owner.

E) = SE(1) = () ARCHITECTURAL CHANGE FORM PERRY HALL COURTS II NAME: MR. MRS ALESSIO MATTUCCI ADDRESS: 6 HEADOW BANK CT. CITY: <u>BA 170</u> STATE: <u>MU</u> ZIP: <u>21234</u> DATE SUBMITTED: 3. 25-95 HOME PHONE: 529-3247 WORK PHONE: 764-9133. PLEASE DESCRIBE BELOW THE CHANGES YOU PROPOSE TO MAKE TO YOUR PROPERTY, INCLUDING LOCATION, DIMENSIONS, MATERIALS AND DETAILS OF DESIGN. ALSO INCLUDE PROPERTY PLAT SHOWING PROPOSED CHANGES.

ZWILL TO BUILD A DECK IN OUR BACK YARD

THE DIMENSIONS WILL BE 18x24 FEET!

AS SHOWN IN THE PLOTT. IT WILL BUILD

OF TREATED LUHBER. PLEASE NOTE COLOR CHANGE FROM ORIGINAL DESIGN. PLEASE ATTACH A DETAILED SKETCH OR BLUEPRINT OF YOUR PLAN IN DUPLICATE WHICH THE COMMITTEE MAY KEEP FOR THEIR RECORDS. APPROVED: My Virgin 1-11-15

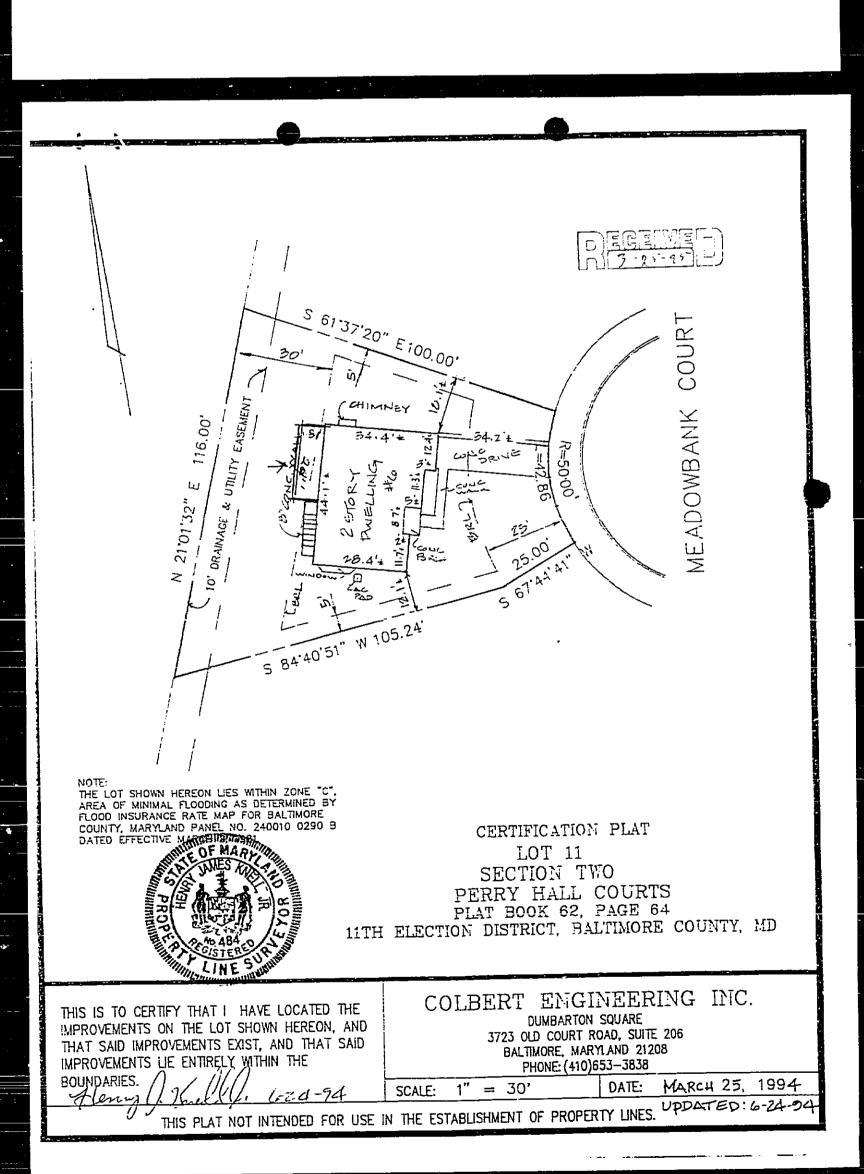
DISAPPROVED: _____ REASON: _____

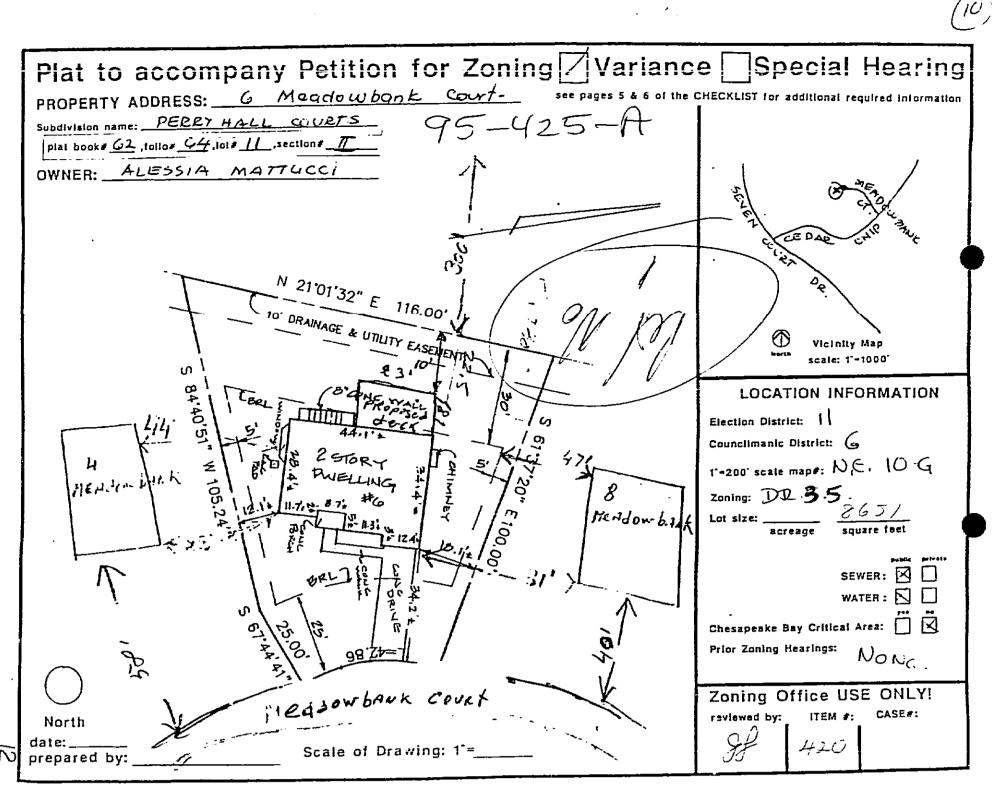
THIS APPLICATION IS NOT AUTHORIZED UNTIL APPROVED BY THE

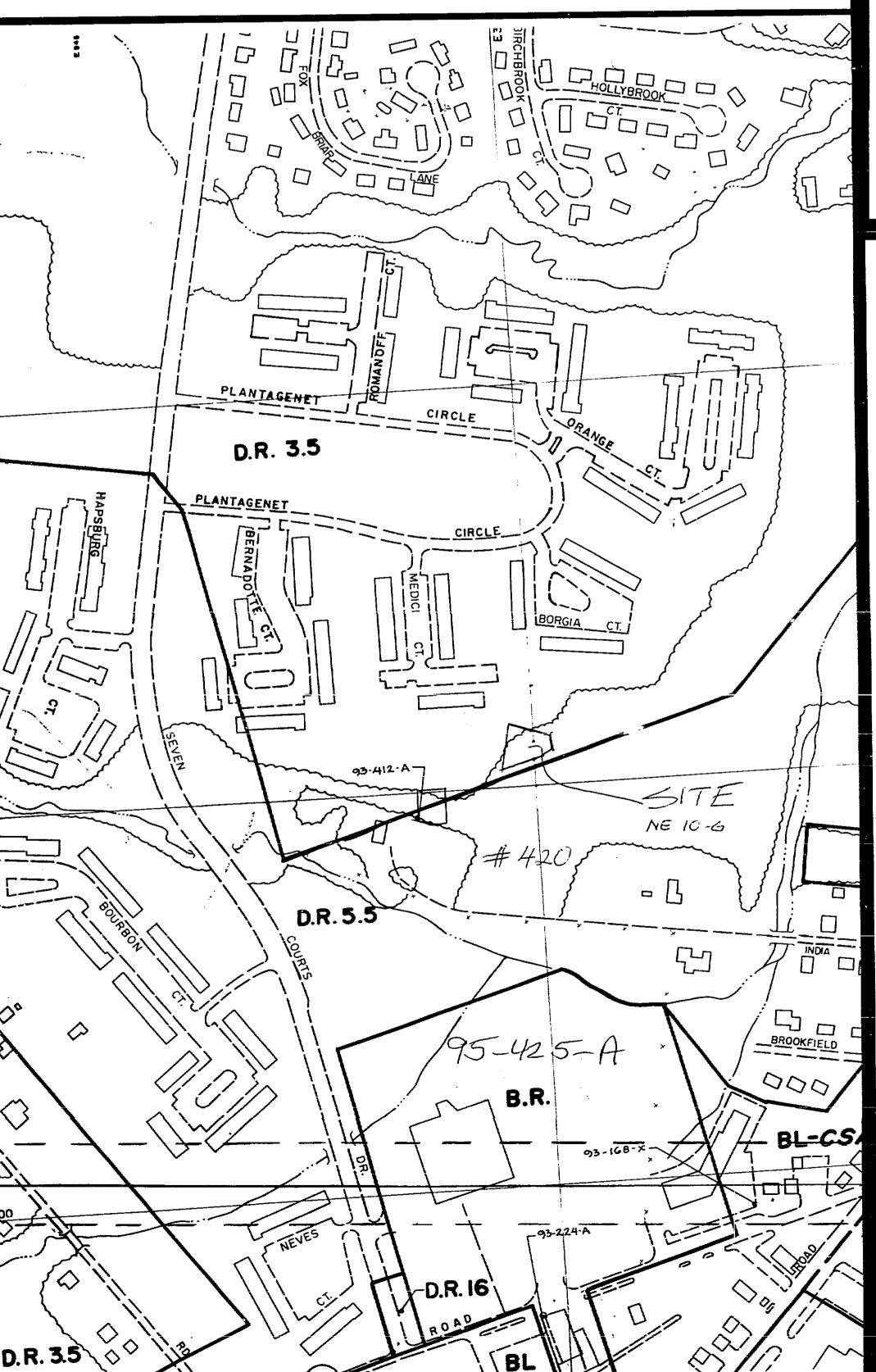
420

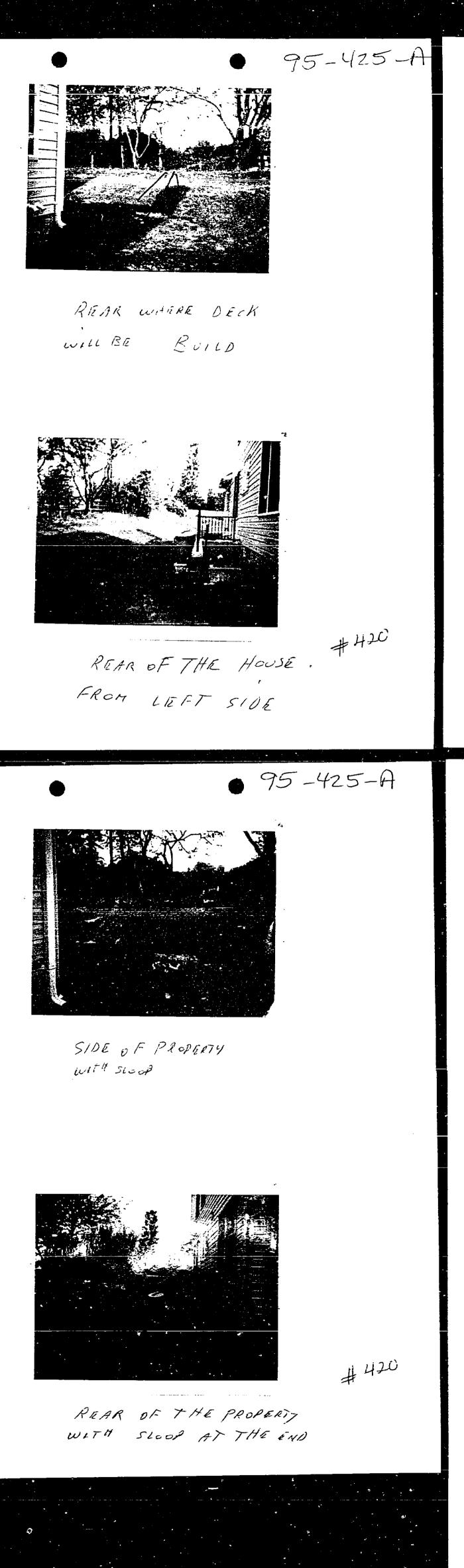
ARCHITECTURAL COMMITTEE.

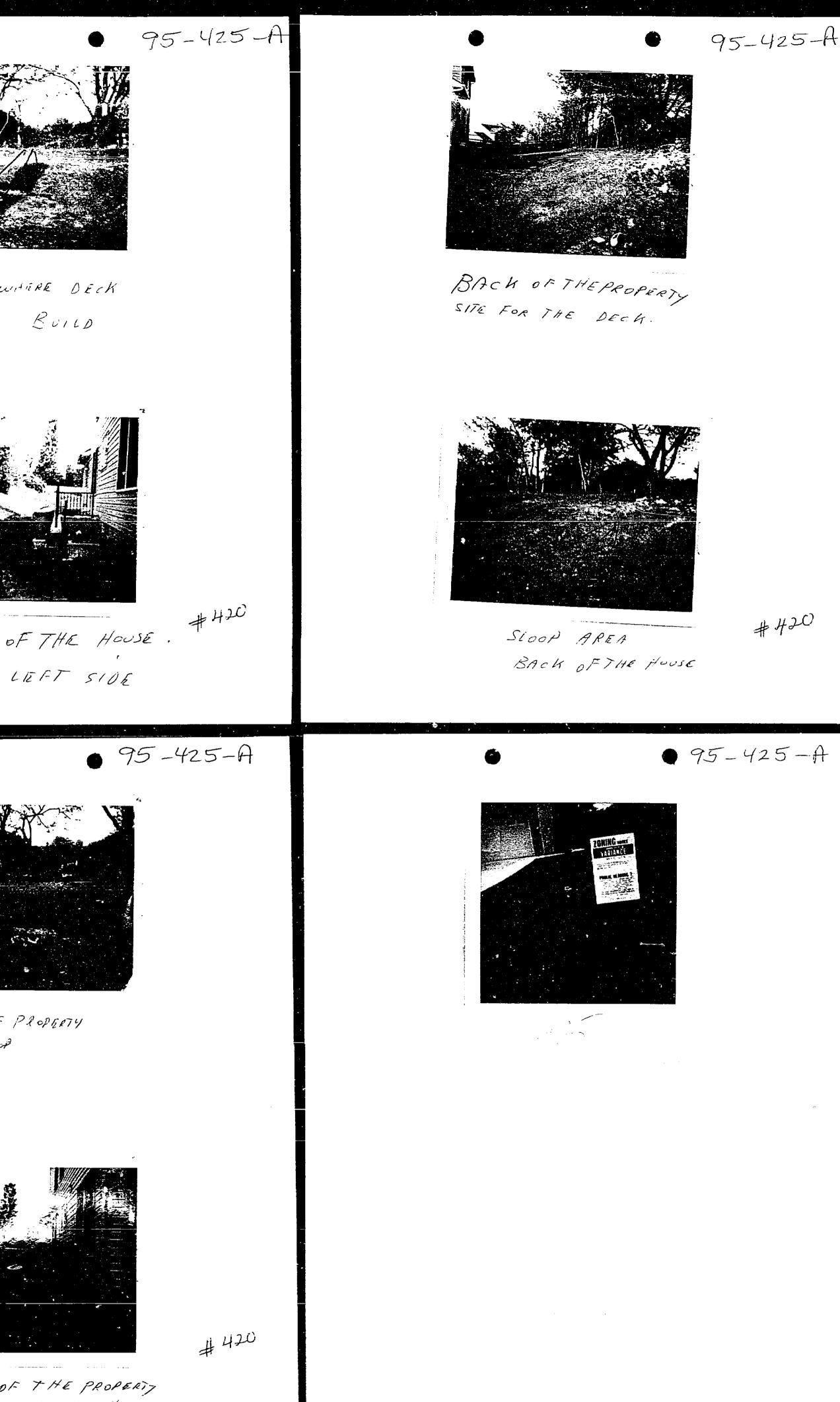
PLEASE RETURN TO MICHAEL PECK.











95-425-A

